



Department of Justice

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MEXICAN NATIONAL SENTENCED TO 41 MONTHS FOR UNLAWFUL RE-ENTRY

PRESS RELEASE

Indianapolis - Jose Avilio-Balan, 40, Mexico, was sentenced to 41 months in prison today by U.S. District Judge William T. Lawrence following his guilty plea to illegal reentry following a conviction for an aggravated felony. This case was the result of an investigation by the Department of Homeland Security, Immigration and Customs Enforcement (ICE).

In 2004, Avilio-Balan was convicted of felony sexual battery in Marion County, Indiana, Superior Court. By law, this is considered an aggravated felony and Avilio-Balan was told he could never legally return to the United States. He was deported to Mexico on October 6, 2009, from El Paso, Texas. Avilio-Balan was arrested on November 17, 2009 by ICE agents in Indianapolis. He admitted he had just been deported the month before and that he had just re-entered the United States on November 10, 2009.

According to Assistant U.S. Attorney Gayle L. Helart, who prosecuted the case for the government, Avilio-Balan will be deported following his prison sentence.

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